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Date of Deposit: June 20, 2003

Attorney Docket No. 100727-55/Heraeus 407-KGB  
P10151

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Dr. Sebastian VOGT et al  
SERIAL NO. : To Be Assigned  
FILED : Herewith  
FOR : PHARMACEUTICAL PREPARATION WITH RETARDING  
ACTIVE INGREDIENT RELEASE, METHOD FOR ITS  
PRODUCTION AND ITS USE  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

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Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

**I. Timeliness, Fees and Certifications in lieu of Fees**

This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

**II. Copies of Listed References**

Copies of all references listed on the attached Form PTO-1449 are being supplied.

**III. Concise Statement of Relevance**

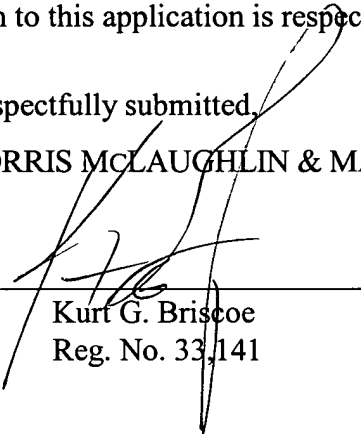
All references listed on the attached Form PTO-1449 are referred to in the specification, which indicates the degree of relevance.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By

  
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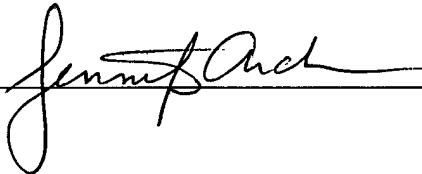
CERTIFICATE OF EXPRESS MAILING

I hereby certify that the foregoing Transmittal of Priority Document is being deposited with the United States Postal Service as express mail under label No. EV208799437US in an envelope addressed to: Hon. Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Date:

June 20, 2003

By

  
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|--|----|--|-------------|---|-------------------------|-----------------------------------|--------------------------------------|
| <b>LIST OF PATENTS AND PUBLICATIONS</b><br><b>APPLICANT'S INFORMATION</b><br><b>DISCLOSURE STATEMENT</b><br>(Form PTO-1449)  |    |  |             | Attorney Docket: <b>100727-55 / Heraeus 407-KGB</b> |                         | Serial No.: <b>To Be Assigned</b> |                                      |
|  |    |  |             | Applicant: <b>VOGT, et al</b>                       |                         | Examiner: <b>To Be Assigned</b>   |                                      |
|  |    |  |             | Filing Date: <b>Herewith</b>                        |                         | Group: <b>To Be Assigned</b>      |                                      |
| <b>U.S. PATENT DOCUMENTS</b>   |    |  |             |   |                         |                                   |                                      |
| <b>Examiner's Initial</b>  |    | <b>Document Number</b>                 | <b>Date</b> | <b>Name</b>   | <b>Class</b>            | <b>Sub Class</b>                  | <b>Filing Date</b><br>If appropriate |
|  | AA |  |             |   |                         |                                   |                                      |
|  | AB |  |             |   |                         |                                   |                                      |
|  | AC |  |             |   |                         |                                   |                                      |
|  | AD |  |             |   |                         |                                   |                                      |
|  | AE |  |             |   |                         |                                   |                                      |
|  | AF |  |             |   |                         |                                   |                                      |
| <b>FOREIGN PATENT DOCUMENTS</b>  |    |  |             |   |                         |                                   |                                      |
|  |    | <b>Document Number</b>                 | <b>Date</b> | <b>Country</b>                                      | <b>Class</b>            | <b>Sub Class</b>                  | <b>Translation</b><br>Yes      No    |
|  | AG | EP 0 911 571 B1<br>(Abstract provided) | 19.04.00    | Europe  | A61K                    | 38/00                             |                                      |
|  | AH |  |             |   |                         |                                   |                                      |
|  | AI |  |             |   |                         |                                   |                                      |
|  | AJ |  |             |   |                         |                                   |                                      |
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|  | AN |  |             |   |                         |                                   |                                      |
|  | AO |  |             |   |                         |                                   |                                      |
|  | AP |  |             |   |                         |                                   |                                      |
| <b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>  |    |  |             |   |                         |                                   |                                      |
|  | AQ |  |             |   |                         |                                   |                                      |
|  | AT |  |             |   |                         |                                   |                                      |
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|  | AY |  |             |   |                         |                                   |                                      |
|  | AZ |  |             |   |                         |                                   |                                      |
| <b>EXAMINER:</b>   |    |  |             |   | <b>DATE CONSIDERED:</b> |                                   |                                      |
| • <b>EXAMINER:</b> Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant. |    |  |             |   |                         |                                   |                                      |